THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.1545 OF 1999

DATED:16.2.2006

Between:

Battepati Sundaraiah

…Petitioner

And

Special Deputy Collector (Land Acquisition)

Somasila Project, Atmakur, Nellore District

…Respondent

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.1545 OF 1999

ORDER:

The petitioner filed the instant Writ Petition seeking a Writ of Mandamus directing the respondent to pay the compensation awarded under the Land Acquisition Act, 1894 (for short, the Act) vide Award No.19/91-92, dt.25.3.1992 and also refer the matter to Civil Court under Section 18 of the Act.

In the counter affidavit filed by the respondent in page No.5 it is stated as under.

> In reply to para No.VI it is submitted that the further budget received during month of February, 1999. Notice u/s 12(2) sent to the petitioner and petitioner received the cheque bearing No.098325, dt.17.2.99 for Rs.53,470/-

appending endorsement “under protest” on the acquittance code form C and CC. If the petitioner files petitions u/s 18 of the L.A.Act within the stipulate time action to refer to the Civil Court will be taken.

In view of the counter averments, which stand un-rebutted, no further orders are necessary in this Writ Petition. It shall be open to the petitioner to approach the Land Acquisition Officer if he is not satisfied with the compensation awarded. As and when such application is made, the same shall be considered in accordance with law having regard to the time limit mentioned in Section 18 of the Act.

The Writ Petition is accordingly disposed of.

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(V.V.S.RAO, J)

16.2.2006

bnr